



**US Army Corps  
of Engineers**  
Louisville District ®

# Public Notice

Public Notice No.  
LRL-2016-00014-gjd

Open Date:  
9 Mar 2017

Close Date:  
10 Apr 2017

Please address all comments and inquiries to:  
U.S. Army Corps of Engineers, Louisville District  
ATTN: Mr. George DeLancey, CELRL-RDE  
6855 State Road 66  
Newburgh, IN 47630  
Email: [lrl.regulatorypubliccomment@usace.army.mil](mailto:lrl.regulatorypubliccomment@usace.army.mil)

Phone: 812-842-2807

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 404 of the Clean Water Act:

APPLICANT: Hamilton County Coal  
18033 County Road 500E  
Dahlgren, Illinois 62828

LOCATION: Located in unnamed tributary streams and  
associated wetlands of Big Creek, located  
northwest of Delafield, Hamilton County,  
Illinois.

Latitude: 38.18104  
Longitude: -88.64216

PURPOSE: To relocate wetlands and streams to facilitate  
the removal of subsurface coal materials.

DESCRIPTION OF WORK: The proposed surface admendment would  
result in discharges of fill and/or dredged material into "waters of  
the United States" throughout the 145-acre surface facility site.  
The proposed impacts are located on a site pending approval  
by the Illinois Department of Natural Resources (IDNR) under Permit  
No. 445.

The current amendment to the existing surface facility would  
necessitate impacts to 795 linear feet of ephemeral and intermittent  
streams, as well as 1.9 acres of palustrine emergent (PEM) and  
palustrine forested (PFO) wetlands. The impacts would allow the  
company to further support the existing operation by providing topsoil  
and subsoil stockpiling for future required reclamation activities.

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES: The applicant's  
preferred alternative, has taken into consideration various mining  
methods to maximize the opportunities for avoidance and minimization  
measures. In considering configurations for the project, the  
applicant was able to avoid 109 linear feet of streams and 0.3 acre of  
palustrine unconsolidated bottom wetland.

The applicant proposes to complete off site mitigation to mitigate functions lost by the impacted resources.

OFF SITE MITIGATION: The applicant proposes off site mitigation at a location referred to as the Hart Big Creek Property. The site includes over 900 linear feet of a perennial stream, Big Creek, and 5.2 acres of agricultural ground.

On the 5.2-acre agricultural site, which is mapped as having Belknap soils, the applicant is proposing to replant the site with primarily hard mast species to restore a PFO wetland at least 2.6 acres in size. To promote restored hydrology, the applicant proposes to fill in three drainage gullies within the field that currently pull water away from the field and into Big Creek. The applicant also proposes to enhance hydrology at the wetland site, and to enhance and stabilize this section of Big Creek, by installing two Newbury Riffles in Big Creek. The first structure would raise the water level 0.9 feet at the invert of the structure. The second Newbury Riffle would raise the water level 1.4 feet at the structure's invert. The applicant proposes to further enhance/stabilize Big Creek in this reach by installing a toe wood structure along the outside bed of the creek that is unstable.

It is noted that this proposed mitigation plan is open to comment and subject to change. The Corps will make a determination of appropriate mitigation, upon review of all submitted information.

REVIEW PROCEDURES: A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied. A DA permit, if otherwise warranted, will not be issued until a State of Illinois Water Quality Certification or waiver is on file at this office. In order to comply with Section 401 of the Clean Water Act, the applicant, by this notice, hereby applies for State certification from the Illinois Environmental Protection Agency (ILEPA).

Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. Based on available information, the proposed activity will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing must state the specific interest, which might be damaged by issuance of the DA Permit.

The National Register of Historic Places (NHRP) has been examined, and it has been determined that there are no properties currently listed on the Register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the public. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines (40 CFR Part 230) promulgated by the Administrator, United States Environmental Protection Agency, under authority of Section 404(b) of the CWA.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written statements received in this office on or before the closing date will become a part of the official record and will be considered in the determination on this permit request. Any objections which are received during this period will be forwarded to the applicant for possible resolution before the determination is made whether to issue

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or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. The Public Notice and drawings are available on Louisville District's Internet site at: <http://www.lrl.usace.army.mil/Missions/Regulatory.aspx>. All comments regarding this proposal should be addressed to Mr. George DeLancey, CELRL-RDE at the address noted above and should refer to the Public Notice Number LRL-2012-440-gjd.

If you desire to submit your comments by email, you must comply with the following:

a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2016-00014-gjd.

Example:

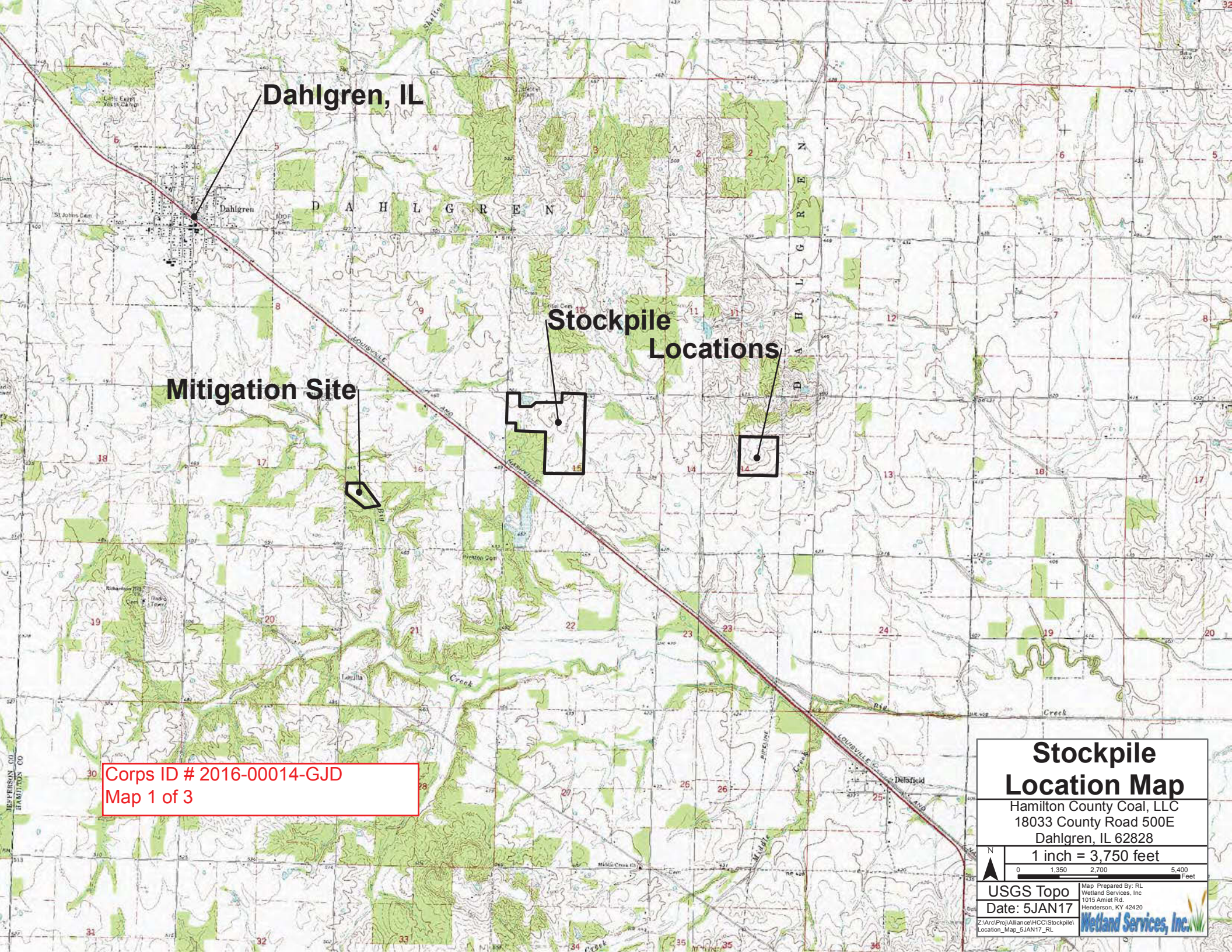
Subject: LRL-2016-00014-gjd

b) Provide your physical mailing address and telephone number.

c) Send your email to: [lrl.regulatorypubliccomment@usace.army.mil](mailto:lrl.regulatorypubliccomment@usace.army.mil).

d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.





Dahlgren, IL

Stockpile  
Locations

Mitigation Site

Corps ID # 2016-00014-GJD  
Map 1 of 3

## Stockpile Location Map

Hamilton County Coal, LLC  
18033 County Road 500E  
Dahlgren, IL 62828

1 inch = 3,750 feet





USGS Topo  
Date: 5JAN17

Map Prepared By: RL  
Wetland Services, Inc.  
1015 Amiet Rd.  
Henderson, KY 42420

Wetland Services, Inc.




## Legend

-  Project Boundary
-  Soil Storage
-  Ancillary Operations
-  Avoidance
-  Wetlands
-  Streams

Corps ID LRL-2016-00014-GJD  
Map 2 of 3

# Stockpile Operations Map

Hamilton County Coal, LLC  
18033 County Road 500E  
Dahlgren, IL 62828

 1 inch = 950 feet  
0 445 890 1,780 Feet

2012 NAIP  
Date: 9JAN17  
Map Prepared By: RL  
Wetland Services, Inc.  
1015 Amiet Rd.  
Henderson, KY 42420  
Z:\Arc\Proj\Alliance\HCC\Stockpile\Operations\_Map\_9JAN17\_RL  




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- The map shows an aerial view of a wetland restoration project. A yellow boundary outlines the project area, which includes a large brownish wetland area and surrounding forest. A green line within the yellow boundary indicates the restoration area. A red line represents an access road. Several monitoring points are marked: green 'X' symbols for wetland monitoring, red circles for stream monitoring, and purple diamonds for riparian buffer monitoring. A north arrow is in the top left, and a scale bar is in the bottom right.
- Project Boundary
  - Restoration Area
  - Access Road
  - Wetland Monitoring Point
  - Stream Monitoring Point
  - Riparian Buffer Monitoring Point

Mitigation Location  
Corps ID LRL-2016-00014-GJD  
Map 3 of 3

Hamilton County Coal, LLC  
18033 County Road 500 East  
Dahlgren, IL 62828

Aerial: GOOGLE 22OCT16

Date: 9FEB17

File: Z:\Carlson\Alliance\HCC\Hart South Mitigation Site\Monitoring Map 9FEB17 RL.dwg

Map Prepared By:  
Rick Uggett

**Wetland Services**  
1015 Amiet Rd Henderson, KY 42420

